

COUNTY COUNCIL  
OF  
HARFORD COUNTY, MARYLAND

BILL NO. 11-50 (As Amended)

Introduced by Council President Boniface at the request of the County Executive

Legislative Day No. 11-21 Date October 11, 2011

AN ACT to repeal, in its entirety, and reenact, with amendments, Chapter 23, Ethics Code, of the Harford County Code, as amended; to provide for a recodification consistent with State requirements contained in Senate Bill 315 – Chapter 277 of the Acts of 2010 and as approved by the State Ethics Commission; and generally relating to the Harford County Ethics Code.

By the Council, October 11, 2011

Introduced, read first time, ordered posted and public hearing scheduled

on: November 8, 2011

at: 6:30 PM

By Order: *Pamela Mark*, Council Administrator

**PUBLIC HEARING**

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on November 8, 2011, and concluded on November 8, 2011.

*Pamela Mark*, Council Administrator

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

Section 1. Be It Enacted By The County Council of Harford County, Maryland that Chapter 23, Ethics Code, of the Harford County Code, as amended, be, and it is hereby, repealed, in its entirety, and reenacted, with amendments, all to read as follows:

**CHAPTER 23 - ETHICS CODE**

**§ 23-1. SHORT TITLE.**

THIS CHAPTER MAY BE CITED AS THE HARFORD COUNTY PUBLIC ETHICS LAW.

**§ 23-2. APPLICABILITY.**

THE PROVISIONS OF THIS CHAPTER APPLY TO ALL HARFORD COUNTY ELECTED OFFICIALS, EMPLOYEES AND APPOINTEES TO BOARDS AND COMMISSIONS OF THE COUNTY.

**§ 23-2.1. DEFINITIONS.**

IN THIS CHAPTER, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

ACT AS A COMPENSATED REPRESENTATIVE - DOING ANYTHING THAT REASONABLY COULD BE EXPECTED TO HELP OR AID A PERSON TO OBTAIN ANYTHING OF BENEFIT IN ANY MATTER INVOLVING THE COUNTY OR A COUNTY AGENCY, WHERE THE FORMER COUNTY OFFICIAL OR EMPLOYEE RECEIVES ANYTHING OF VALUE IN CONSIDERATION OF THE HELP OR AID.

BOARD - THE HARFORD COUNTY ETHICS BOARD ESTABLISHED BY THIS CHAPTER.

BUSINESS ENTITY - INCLUDES ANY ENTITY, REGARDLESS OF FORM.

COMPENSATION - ANY MONEY OR THING OF VALUE, REGARDLESS OF FORM, RECEIVED OR TO BE RECEIVED BY ANY INDIVIDUAL COVERED BY THIS CHAPTER FROM AN EMPLOYER FOR SERVICES RENDERED. FOR THE PURPOSES OF THE LOBBYING SECTION OF THIS CHAPTER, IF LOBBYING IS ONLY A PORTION OF A PERSON'S EMPLOYMENT, "COMPENSATION" MEANS A PRORATED AMOUNT BASED ON THE TIME DEVOTED TO LOBBYING COMPARED TO THE TIME DEVOTED TO OTHER EMPLOYMENT DUTIES. FOR

1       REPORTING PURPOSES, A PRORATED AMOUNT SHALL BE LABELED AS SUCH.  
2       DIRECTOR OF HUMAN RESOURCES - IF THE POSITION IS VACANT OR IS ABOLISHED,  
3       "DIRECTOR OF HUMAN RESOURCES" SHALL MEAN THE PERSONNEL OFFICER  
4       PROVIDED FOR IN § 605 OF THIS CHARTER.

5       EMPLOYEE - ANY PERSON, OTHER THAN AN OFFICIAL, EMPLOYED BY THE  
6       EXECUTIVE OR LEGISLATIVE BRANCH OF COUNTY GOVERNMENT.

7       EMPLOYER - ANY PERSON PAYING OR AGREEING TO PAY COMPENSATION TO  
8       ANOTHER PERSON FOR SERVICES RENDERED.

9       EXECUTIVE ACTION - ANY ACT TAKEN BY THE COUNTY EXECUTIVE OR AN  
10       EMPLOYEE IN THE EXECUTIVE BRANCH FOR WHICH THE EXECUTIVE BRANCH  
11       IS RESPONSIBLE.

12       FINANCIAL INTEREST:

13       (1)       OWNERSHIP OF ANY INTEREST AS A RESULT OF WHICH THE OWNER  
14       HAS RECEIVED WITHIN THE PAST 3 YEARS, IS PRESENTLY RECEIVING,  
15       OR IN THE FUTURE IS ENTITLED TO RECEIVE, MORE THAN \$1,000 PER  
16       YEAR; OR

17       (2)       OWNERSHIP OR THE OWNERSHIP OF SECURITIES OF ANY KIND  
18       REPRESENTING OR CONVERTIBLE TO OWNERSHIP OF MORE THAN 3%  
19       OF A BUSINESS ENTITY.

20       GIFT - THE TRANSFER OF ANYTHING OF ECONOMIC VALUE, REGARDLESS OF THE  
21       FORM, WITHOUT ADEQUATE AND LAWFUL CONSIDERATION. "GIFT" DOES  
22       NOT INCLUDE THE SOLICITATION, ACCEPTANCE, RECEIPT OR REGULATION  
23       OF POLITICAL CAMPAIGN CONTRIBUTIONS IN ACCORDANCE WITH STATE  
24       LAW.

25       HONORARIUM -

26       (1)       A PAYMENT OF MONEY OR ANYTHING OF VALUE FOR:

(A) SPEAKING TO, PARTICIPATING IN OR ATTENDING A MEETING,

CONFERENCE OR OTHER FUNCTION; OR

(B) WRITING AN ARTICLE, OTHER THAN A BOOK, THAT HAS BEEN

OR IS INTENDED TO BE PUBLISHED.

(2) "HONORARIUM" DOES NOT INCLUDE PAYMENT OF OR

REIMBURSEMENT FOR REASONABLE EXPENSES FOR MEALS, TRAVEL,

LODGING AND CARE FOR CHILDREN OR DEPENDENT ADULTS, IF THE

EXPENSES ARE ACTUALLY INCURRED IN SPEAKING TO, PARTICIPATING

IN OR ATTENDING A MEETING, CONFERENCE OR OTHER FUNCTION, OR

IN WRITING AN ARTICLE, OTHER THAN A BOOK, THAT HAS BEEN OR IS

INTENDED TO BE PUBLISHED.

IMMEDIATE FAMILY MEMBER – THE SPOUSE AND DEPENDENT CHILDREN OF AN

OFFICIAL OR EMPLOYEE.

INTEREST - ANY LEGAL OR EQUITABLE ECONOMIC INTEREST, WHETHER OR NOT

SUBJECT TO AN ENCUMBRANCE OR A CONDITION, WHICH IS OWNED OR

HELD, IN WHOLE OR IN PART, JOINTLY OR SEVERALLY, DIRECTLY OR

INDIRECTLY. "INTEREST" DOES NOT INCLUDE:

(1) AN INTEREST HELD IN THE CAPACITY OF A PERSONAL

REPRESENTATIVE, AGENT, CUSTODIAN, FIDUCIARY OR TRUSTEE,

UNLESS THE HOLDER OR A FAMILY MEMBER OF THE HOLDER HAS AN

EQUITABLE INTEREST THEREIN;

(2) AN INTEREST IN A TIME OR DEMAND DEPOSIT IN A FINANCIAL

INSTITUTION;

(3) AN INTEREST IN AN INSURANCE OR ENDOWMENT POLICY OR ANNUITY

CONTRACT UNDER WHICH AN INSURANCE COMPANY PROMISES TO

PAY A FIXED NUMBER OF DOLLARS EITHER IN A LUMP SUM OR



1           PERIODICALLY FOR LIFE OR SOME OTHER SPECIFIED PERIOD; OR  
 2           (4) AN INTEREST IN A COMMON TRUST FUND OR A TRUST THAT FORMS  
 3           PART OF A PENSION OR PROFIT-SHARING PLAN THAT HAS MORE THAN  
 4           25 PARTICIPANTS AND WHICH HAS BEEN DETERMINED BY THE  
 5           INTERNAL REVENUE SERVICE TO BE A QUALIFIED TRUST UNDER  
 6           SECTIONS 401 AND 501 OF THE INTERNAL REVENUE CODE.

7 LEGISLATIVE ACTION - THE INTRODUCTION, SPONSORSHIP, CONSIDERATION,  
 8 DEBATE, AMENDMENT, PASSAGE, DEFEAT, APPROVAL, VETO OR ANY OTHER  
 9 OFFICIAL ACTION OR NON-ACTION ON ANY LEGISLATION, RESOLUTION,  
 10 AMENDMENT, NOMINATION, APPOINTMENT, REPORT, ANY OTHER MATTER  
 11 PENDING OR PROPOSED BEFORE THE COUNTY COUNCIL OR ANY  
 12 LEGISLATION PENDING BEFORE OR PRESENTED TO THE COUNTY EXECUTIVE  
 13 FOR SIGNATURE OR VETO.

14 LOBBYING - THE PERFORMING OF ANY ACT REQUIRING REGISTRATION UNDER § 23-  
 15 7 OF THIS CHAPTER.

16 LOBBYIST - ANY PERSON WHO, WITHIN A REPORTING PERIOD, IN THE PRESENCE OF  
 17 ANY OFFICIAL OR EMPLOYEE IN THE LEGISLATIVE OR EXECUTIVE BRANCH  
 18 HAS COMMUNICATED WITH THAT OFFICIAL OR EMPLOYEE FOR THE PURPOSE  
 19 OF INFLUENCING ANY LEGISLATIVE ACTION, AND WHO, FOR THAT PURPOSE  
 20 AND EXCLUSIVE OF THE PERSONAL TRAVEL OR SUBSISTENCE EXPENSES OF  
 21 THAT PERSON OR REPRESENTATIVE OF THAT PERSON, EITHER INCURS  
 22 EXPENSES OF \$100 OR MORE OR RECEIVES \$500 OR MORE AS COMPENSATION,  
 23 OR ANY PERSON WHO EXPENDS A CUMULATIVE VALUE OF \$100 OR MORE  
 24 DURING A REPORTING PERIOD ON ONE OR MORE OFFICIALS OR EMPLOYEES  
 25 IN THE EXECUTIVE BRANCH FOR MEALS, BEVERAGES, SPECIAL EVENTS OR  
 26 GIFTS IN CONNECTION WITH OR WITH THE PURPOSE OF INFLUENCING

1        EXECUTIVE ACTION.

2        OFFICIAL - THE COUNTY EXECUTIVE, THE MEMBERS OF THE COUNTY COUNCIL, THE  
3        DIRECTOR, OFFICER OR COORDINATOR OF EACH COUNTY DEPARTMENT AND  
4        AGENCY, AND EACH MEMBER APPOINTED TO A COUNTY BOARD OR  
5        COMMISSION.

6        QUALIFIED RELATIVE - AN OFFICIAL OR EMPLOYEE'S SPOUSE, PARENT,  
7        GRANDPARENT, CHILD, GRANDCHILD, SIBLING OR SPOUSE OF EACH  
8        QUALIFIED RELATIVE.

9        STATEMENT - THE STATEMENT OF FINANCIAL INTERESTS REQUIRED BY SECTION  
10       23-6 OF THIS CHAPTER.

11    **§ 23-3. ETHICS BOARD.**

12    A.    THERE IS A HARFORD COUNTY ETHICS BOARD THAT CONSISTS OF ~~3~~ 5  
13       MEMBERS APPOINTED BY THE COUNTY EXECUTIVE AND CONFIRMED BY THE  
14       COUNTY COUNCIL FOR A TERM COTERMINOUS WITH THAT OF THE COUNTY  
15       EXECUTIVE. NOT MORE THAN ~~2~~ 3 MEMBERS OF THE BOARD SHALL BE  
16       MEMBERS OF THE SAME POLITICAL PARTY.

17    B.    THE BOARD SHALL:

18       (1)    DEVISE, RECEIVE AND MAINTAIN ALL FORMS REQUIRED BY THIS  
19       CHAPTER;

20       (2)    DEVELOP PROCEDURES AND POLICIES FOR ADVISORY OPINION  
21       REQUESTS AND PROVIDE PUBLISHED ADVISORY OPINIONS TO PERSONS  
22       SUBJECT TO THIS CHAPTER REGARDING THE APPLICABILITY OF THE  
23       PROVISIONS OF THIS CHAPTER TO THEM;

24       (3)    DEVELOP PROCEDURES AND POLICIES FOR THE PROCESSING OF  
25       COMPLAINTS TO MAKE APPROPRIATE DETERMINATIONS REGARDING  
26       COMPLAINTS FILED BY ANY PERSON ALLEGING VIOLATIONS OF THIS

CHAPTER; AND

(4) CONDUCT A PUBLIC INFORMATION PROGRAM REGARDING THE PURPOSES AND APPLICATION OF THIS CHAPTER.

C. THE BOARD SHALL BE ADVISED THROUGHOUT THE COMPLAINT PROCEDURE BY THE DEPARTMENT OF LAW, EXCEPT WHEN IT RECEIVES A COMPLAINT OR A REQUEST FOR AN OPINION INVOLVING A MEMBER OF THE DEPARTMENT OF LAW OR THE COUNTY EXECUTIVE, IN WHICH CASE IT SHALL BE ADVISED BY THE COUNTY COUNCIL ATTORNEY.

D. THE BOARD SHALL CERTIFY TO THE STATE ETHICS COMMISSION ON OR BEFORE OCTOBER 1 OF EACH YEAR THAT THE COUNTY IS IN COMPLIANCE WITH THE REQUIREMENTS OF STATE GOVERNMENT ARTICLE, TITLE 15, SUBTITLE 8, ANNOTATED CODE OF MARYLAND, FOR ELECTED LOCAL OFFICIALS.

E. THE BOARD SHALL DETERMINE IF CHANGES TO THIS CHAPTER ARE REQUIRED TO BE IN COMPLIANCE WITH THE REQUIREMENTS OF STATE GOVERNMENT ARTICLE, TITLE 15, SUBTITLE 8, ANNOTATED CODE OF MARYLAND, AND SHALL FORWARD ANY RECOMMENDED CHANGES AND AMENDMENTS TO THE COUNTY EXECUTIVE FOR ENACTMENT BY THE COUNTY COUNCIL.

F. THE BOARD MAY ADOPT OTHER POLICIES AND PROCEDURES TO ASSIST IN THE IMPLEMENTATION OF THE BOARD'S PROGRAMS ESTABLISHED IN THIS CHAPTER.

**§ 23-4. PROCEDURES FOR COMPLAINTS AND OPINION REQUESTS.**

A. THE BOARD IS AUTHORIZED TO RECEIVE WRITTEN COMPLAINTS SIGNED BY THE COMPLAINANT, TO CONDUCT INVESTIGATIONS UPON THE COMPLAINTS, HOLD HEARINGS AND SWEAR WITNESSES. A COMPLAINT MAY BE FILED BY

1 ANY PERSON, INCLUDING A BOARD MEMBER, AND SHALL BE UNDER OATH. A  
2 COMPLAINT MUST BE FILED WITHIN 3 YEARS AFTER THE DATE OF THE  
3 ALLEGED VIOLATION. AFTER A COMPLAINT IS FILED OR AN ADVISORY  
4 OPINION IS REQUESTED, ALL ACTIONS REGARDING THE COMPLAINT OR  
5 REQUEST SHALL BE TREATED CONFIDENTIALLY UNTIL THE BOARD ISSUES A  
6 FINAL DECISION OR OPINION. THE BOARD SHALL KEEP ACCURATE AND  
7 COMPLETE RECORDS OF ITS BUSINESS, AND THE LAW DEPARTMENT SHALL  
8 SERVE AS THE CUSTODIAN OF THE RECORDS.

9 B. UPON RECEIPT OF A COMPLAINT ALLEGING A VIOLATION OF THIS CHAPTER,  
10 THE BOARD SHALL DETERMINE WHETHER THERE IS A REASONABLE BASIS TO  
11 BELIEVE A VIOLATION HAS OCCURRED. IF THE BOARD DETERMINES THAT  
12 THERE IS NOT A REASONABLE BASIS FOR THE COMPLAINT, THE BOARD  
13 SHALL DISMISS THE MATTER SUMMARILY. IF A REASONABLE BASIS EXISTS,  
14 THE BOARD SHALL SEND WRITTEN NOTICE TO THE SUBJECT OF THE  
15 COMPLAINT THAT A HEARING WILL BE HELD ON THE COMPLAINT ON A DATE  
16 SPECIFIED IN THE NOTICE. THE BOARD SHALL DISMISS THE COMPLAINT AND  
17 CANCEL THE HEARING IF THE VIOLATION IS CORRECTED WITHIN 15  
18 CALENDAR DAYS FROM THE DATE OF THE NOTICE, BUT ONLY IF DISMISSAL  
19 WOULD NOT BE CONTRARY TO THE PURPOSES OF THIS CHAPTER. IF THE  
20 VIOLATION IS NOT CORRECTED WITHIN THE 15 CALENDAR DAYS, THE BOARD  
21 SHALL TAKE FURTHER INVESTIGATORY AND PROCEDURAL STEPS  
22 NECESSARY TO RESOLVE THE MATTER, AND SHALL ALLOW THE PERSON  
23 ACCUSED TO BE REPRESENTED BY COUNSEL, TO BE CONFRONTED BY THE  
24 COMPLAINANT, AND TO PRESENT EVIDENCE AT A HEARING. IF THE PERSON  
25 ACCUSED REQUESTS A PUBLIC HEARING, THE REQUEST SHALL BE GRANTED.  
26 EACH BOARD DECISION SHALL BE IN WRITING, INCLUDE FINDINGS OF FACT

1 AND CONCLUSIONS OF LAW WITH RESPECT TO EACH ALLEGED VIOLATION,  
2 AND INCLUDE A WRITTEN STATEMENT BY THE DEPARTMENT OF LAW THAT  
3 THE BOARD HAS COMPLIED WITH THIS CHAPTER AND THE BOARD'S RULES  
4 OF PROCEDURE IN REACHING ITS OPINION.

5 C. IF, AFTER APPROPRIATE INVESTIGATION OR HEARING, THE BOARD FINDS  
6 THAT A VIOLATION HAS OCCURRED, THE BOARD SHALL NOTIFY THE COUNTY  
7 ATTORNEY OF THE VIOLATION. THE COUNTY ATTORNEY SHALL PROCEED  
8 WITH CIVIL ENFORCEMENT OF THIS CHAPTER OR, IF THE VIOLATION  
9 INVOLVES CRIMINAL SANCTIONS, THE MATTER SHALL BE SENT TO THE  
10 STATE'S ATTORNEY.

11 D. THE BOARD SHALL ADOPT, IN ACCORDANCE WITH SECTION 807 OF THE  
12 CHARTER, RULES OF PROCEDURE FOR ITS MEETINGS, INVESTIGATIONS AND  
13 HEARINGS. RULES ADOPTED OR AMENDED UNDER THIS SUBSECTION ARE  
14 NOT EFFECTIVE UNTIL APPROVED BY RESOLUTION OF THE COUNTY COUNCIL.

15 E. WHEN THE BOARD RECEIVES A REQUEST FROM AN OFFICIAL OR EMPLOYEE  
16 FOR AN OPINION ON THE APPLICATION OF THIS CHAPTER TO THE OFFICIAL  
17 OR EMPLOYEE, IT SHALL ISSUE A PRELIMINARY RESPONSE WITHIN 15  
18 CALENDAR DAYS AND A FINAL OPINION WITHIN 30 CALENDAR DAYS. IF THE  
19 BOARD FAILS TO ISSUE A FINAL OPINION WITHIN THE 30 CALENDAR DAYS,  
20 THE COUNTY ATTORNEY SHALL ISSUE AN OPINION WITHIN 15 CALENDAR  
21 DAYS OF THE DATE ON WHICH THE BOARD'S OPINION WAS DUE.

22 **§ 23-5. CONFLICTS OF INTEREST.**

23 A. IN THIS SECTION, "QUALIFIED RELATIVE" MEANS A SPOUSE, PARENT,  
24 GRANDPARENT, CHILD, GRANDCHILD, SIBLING OR SPOUSE OF EACH FAMILY  
25 MEMBER.

26 B. ALL COUNTY ELECTED OFFICIALS, OFFICIALS APPOINTED TO COUNTY

1       BOARDS AND COMMISSIONS SUBJECT TO THIS CHAPTER AND EMPLOYEES  
2       ARE SUBJECT TO THIS SECTION.

3       C.   PARTICIPATION PROHIBITIONS.   EXCEPT AS PERMITTED BY BOARD  
4       REGULATION OR OPINION, AN OFFICIAL OR EMPLOYEE MAY NOT  
5       PARTICIPATE IN:

6       (1)   EXCEPT IN THE EXERCISE OF AN ADMINISTRATIVE OR MINISTERIAL  
7       DUTY THAT DOES NOT AFFECT THE DISPOSITION OR DECISION OF THE  
8       MATTER, ANY MATTER IN WHICH, TO THE KNOWLEDGE OF THE  
9       OFFICIAL OR EMPLOYEE, THE OFFICIAL OR EMPLOYEE OR A QUALIFIED  
10      RELATIVE OF THE OFFICIAL OR EMPLOYEE HAS AN INTEREST.

11      (2)   EXCEPT IN THE EXERCISE OF AN ADMINISTRATIVE OR MINISTERIAL  
12      DUTY THAT DOES NOT AFFECT THE DISPOSITION OR DECISION WITH  
13      RESPECT TO THE MATTER, ANY MATTER IN WHICH ANY OF THE  
14      FOLLOWING IS A PARTY:

15      (A)   A BUSINESS ENTITY IN WHICH THE OFFICIAL OR EMPLOYEE HAS  
16      A DIRECT FINANCIAL INTEREST OF WHICH THE OFFICIAL OR  
17      EMPLOYEE MAY REASONABLY BE EXPECTED TO KNOW;

18      (B)   A BUSINESS ENTITY FOR WHICH THE OFFICIAL, EMPLOYEE OR A  
19      QUALIFIED RELATIVE OF THE OFFICIAL OR EMPLOYEE IS AN  
20      OFFICER, DIRECTOR, TRUSTEE, PARTNER OR EMPLOYEE;

21      (C)   A BUSINESS ENTITY WITH WHICH THE OFFICIAL OR EMPLOYEE  
22      OR, TO THE KNOWLEDGE OF THE OFFICIAL OR EMPLOYEE, A  
23      QUALIFIED RELATIVE IS NEGOTIATING EMPLOYMENT OR HAS  
24      ANY ARRANGEMENT CONCERNING PROSPECTIVE EMPLOYMENT;

25      (D)   IF THE CONTRACT REASONABLY COULD BE EXPECTED TO  
26      RESULT IN A CONFLICT BETWEEN THE PRIVATE INTERESTS OF

1 THE OFFICIAL OR EMPLOYEE AND THE OFFICIAL DUTIES OF THE  
2 OFFICIAL OR EMPLOYEE, A BUSINESS ENTITY THAT IS A PARTY  
3 TO AN EXISTING CONTRACT WITH THE OFFICIAL OR EMPLOYEE,  
4 OR WHICH, TO THE KNOWLEDGE OF THE OFFICIAL OR  
5 EMPLOYEE, IS A PARTY TO A CONTRACT WITH A QUALIFIED  
6 RELATIVE;

7 (E) AN ENTITY, DOING BUSINESS WITH THE COUNTY, IN WHICH A  
8 DIRECT FINANCIAL INTEREST IS OWNED BY ANOTHER ENTITY IN  
9 WHICH THE OFFICIAL OR EMPLOYEE HAS A DIRECT FINANCIAL  
10 INTEREST, IF THE OFFICIAL OR EMPLOYEE MAY BE REASONABLY  
11 EXPECTED TO KNOW OF BOTH DIRECT FINANCIAL INTERESTS;  
12 OR

13 (F) A BUSINESS ENTITY THAT:

14 [1] THE OFFICIAL OR EMPLOYEE KNOWS IS A CREDITOR OR  
15 OBLIGEE OF THE OFFICIAL OR EMPLOYEE OR A QUALIFIED  
16 RELATIVE OF THE OFFICIAL OR EMPLOYEE WITH RESPECT  
17 TO A THING OF ECONOMIC VALUE; AND

18 [2] AS A CREDITOR OR OBLIGEE, IS IN A POSITION TO  
19 DIRECTLY AND SUBSTANTIALLY AFFECT THE INTEREST  
20 OF THE OFFICIAL OR EMPLOYEE OR A QUALIFIED  
21 RELATIVE OF THE OFFICIAL OR EMPLOYEE.

22 (3) A PERSON WHO IS DISQUALIFIED FROM PARTICIPATING UNDER  
23 PARAGRAPHS (1) OR (2) OF THIS SUBSECTION SHALL DISCLOSE THE  
24 NATURE AND CIRCUMSTANCES OF THE CONFLICT AND MAY  
25 PARTICIPATE OR ACT IF:

26 (A) THE DISQUALIFICATION LEAVES A BODY WITH LESS THAN A

1 QUORUM CAPABLE OF ACTING;

2 (B) THE DISQUALIFIED OFFICIAL OR EMPLOYEE IS REQUIRED BY  
3 LAW TO ACT; OR

4 (C) THE DISQUALIFIED OFFICIAL OR EMPLOYEE IS THE ONLY  
5 PERSON AUTHORIZED TO ACT.

6 (4) THE PROHIBITIONS OF PARAGRAPHS (1) AND (2) OF THIS SUBSECTION  
7 DO NOT APPLY IF PARTICIPATION IS ALLOWED BY REGULATION OR  
8 OPINION OF THE BOARD.

9 D. EMPLOYMENT AND FINANCIAL INTEREST RESTRICTIONS.

10 (1) EXCEPT AS PERMITTED BY REGULATION OF THE BOARD WHEN THE  
11 INTEREST IS DISCLOSED OR WHEN THE EMPLOYMENT DOES NOT  
12 CREATE A CONFLICT OF INTEREST OR APPEARANCE OF CONFLICT, AN  
13 OFFICIAL OR EMPLOYEE MAY NOT:

14 (A) BE EMPLOYED BY OR HAVE A FINANCIAL INTEREST IN ANY  
15 ENTITY:

16 [1] SUBJECT TO THE AUTHORITY OF THE OFFICIAL OR  
17 EMPLOYEE OR THE COUNTY AGENCY, BOARD OR  
18 COMMISSION WITH WHICH THE OFFICIAL OR EMPLOYEE IS  
19 AFFILIATED; OR

20 [2] THAT IS NEGOTIATING OR HAS ENTERED A CONTRACT  
21 WITH THE AGENCY, BOARD OR COMMISSION WITH WHICH  
22 THE OFFICIAL OR EMPLOYEE IS AFFILIATED; OR

23 (B) HOLD ANY OTHER EMPLOYMENT RELATIONSHIP THAT WOULD  
24 IMPAIR THE IMPARTIALITY OR INDEPENDENCE OF JUDGMENT OF  
25 THE OFFICIAL OR EMPLOYEE.

26 (2) THIS PROHIBITION DOES NOT APPLY TO:



1 (A) AN OFFICIAL OR EMPLOYEE WHO IS APPOINTED TO A  
2 REGULATORY OR LICENSING AUTHORITY PURSUANT TO A  
3 STATUTORY REQUIREMENT THAT PERSONS SUBJECT TO THE  
4 JURISDICTION OF THE AUTHORITY BE REPRESENTED IN  
5 APPOINTMENTS TO THE AUTHORITY;

6 (B) SUBJECT TO OTHER PROVISIONS OF LAW, A MEMBER OF A  
7 BOARD OR COMMISSION IN REGARD TO A FINANCIAL INTEREST  
8 OR EMPLOYMENT HELD AT THE TIME OF APPOINTMENT,  
9 PROVIDED THE FINANCIAL INTEREST OR EMPLOYMENT IS  
10 PUBLICLY DISCLOSED TO THE APPOINTING AUTHORITY AND THE  
11 BOARD;

12 (C) AN OFFICIAL OR EMPLOYEE WHOSE DUTIES ARE MINISTERIAL, IF  
13 THE PRIVATE EMPLOYMENT OR FINANCIAL INTEREST DOES NOT  
14 CREATE A CONFLICT OF INTEREST OR THE APPEARANCE OF A  
15 CONFLICT OF INTEREST, AS PERMITTED BY AND IN  
16 ACCORDANCE WITH REGULATIONS ADOPTED BY THE BOARD;  
17 OR

18 (D) EMPLOYMENT OR FINANCIAL INTERESTS ALLOWED BY  
19 REGULATION OF THE BOARD IF THE EMPLOYMENT DOES NOT  
20 CREATE A CONFLICT OF INTEREST OR THE APPEARANCE OF A  
21 CONFLICT OF INTEREST OR THE FINANCIAL INTEREST IS  
22 DISCLOSED.

23 E. POST-EMPLOYMENT LIMITATIONS AND RESTRICTIONS.

24 (1) FOR 2 YEARS, A FORMER OFFICIAL OR EMPLOYEE MAY NOT ASSIST OR  
25 REPRESENT ANY PARTY OTHER THAN THE COUNTY FOR  
26 COMPENSATION IN A CASE, CONTRACT OR OTHER SPECIFIC MATTER

1 INVOLVING THE COUNTY IF THAT MATTER IS ONE IN WHICH THE  
2 FORMER OFFICIAL OR EMPLOYEE SIGNIFICANTLY PARTICIPATED AS AN  
3 OFFICIAL OR EMPLOYEE.

- 4 (2) FOR ONE YEAR AFTER THE ~~ELECTED OFFICIAL LEAVES OFFICE, A~~  
5 ~~FORMER MEMBER OF THE COUNTY COUNCIL~~ COUNTY EXECUTIVE OR  
6 COUNCIL MEMBER LEAVES OFFICE, THEY MAY NOT ASSIST OR  
7 REPRESENT ANOTHER PARTY FOR COMPENSATION IN A MATTER THAT  
8 IS THE SUBJECT OF LEGISLATIVE ACTION.

9 F. CONTINGENT COMPENSATION. EXCEPT IN A JUDICIAL OR QUASI-JUDICIAL  
10 PROCEEDING, AN OFFICIAL OR EMPLOYEE MAY NOT ASSIST OR REPRESENT A  
11 PARTY FOR CONTINGENT COMPENSATION IN ANY MATTER BEFORE OR  
12 INVOLVING THE COUNTY.

13 G. USE OF PRESTIGE OF OFFICE.

- 14 (1) AN OFFICIAL OR EMPLOYEE MAY NOT INTENTIONALLY USE THE  
15 PRESTIGE OF OFFICE OR PUBLIC POSITION FOR THE PRIVATE GAIN OF  
16 THAT OFFICIAL OR EMPLOYEE OR THE PRIVATE GAIN OF ANOTHER.

- 17 (2) THIS SUBSECTION DOES NOT PROHIBIT THE PERFORMANCE OF USUAL  
18 AND CUSTOMARY CONSTITUENT SERVICES BY AN ELECTED LOCAL  
19 OFFICIAL WITHOUT ADDITIONAL COMPENSATION.

- 20 (3) AN OFFICIAL OR EMPLOYEE MAY NOT APPOINT, EMPLOY, PROMOTE OR  
21 ADVOCATE THE APPOINTMENT, EMPLOYMENT OR PROMOTION OF A  
22 QUALIFIED RELATIVE OF THE EMPLOYEE OR OFFICIAL TO OR IN A  
23 POSITION AS A COUNTY EMPLOYEE, WHETHER THE POSITION IS  
24 CLASSIFIED, EXEMPT OR CONTRACTUAL.

- 25 (4) AN INDIVIDUAL MAY NOT BE APPOINTED TO, EMPLOYED IN,  
26 PROMOTED TO OR ADVANCED IN A POSITION AS A COUNTY EMPLOYEE

1 IF THE APPOINTMENT, EMPLOYMENT, PROMOTION OR ADVANCEMENT  
2 HAS BEEN ADVOCATED BY AN OFFICIAL OR EMPLOYEE WHO IS A  
3 QUALIFIED RELATIVE OF THE INDIVIDUAL AND WHO EXERCISES  
4 JURISDICTION OR CONTROL OVER THE POSITION.

5 (5) AN OFFICIAL OR EMPLOYEE MAY NOT INTIMIDATE, THREATEN,  
6 COERCE OR DISCRIMINATE AGAINST, OR ATTEMPT TO INTIMIDATE,  
7 THREATEN, COERCE OR DISCRIMINATE AGAINST ANY PERSON FOR THE  
8 PURPOSE OF INTERFERING WITH THAT PERSON'S FREEDOM TO  
9 ENGAGE IN POLITICAL ACTIVITY.

10 (6) A PERSON MAY NOT ATTEMPT TO INFLUENCE AN OFFICIAL OR  
11 EMPLOYEE TO VIOLATE ANY PROVISION OF THIS CHAPTER, AND ANY  
12 ATTEMPT TO EXERCISE SUCH INFLUENCE IS A VIOLATION OF THIS  
13 CHAPTER.

14 H. SOLICITATION AND ACCEPTANCE OF GIFTS.

15 (1) AN OFFICIAL OR EMPLOYEE MAY NOT SOLICIT ANY GIFT.

16 (2) AN OFFICIAL OR EMPLOYEE MAY NOT DIRECTLY SOLICIT OR  
17 FACILITATE THE SOLICITATION OF A GIFT, ON BEHALF OF ANOTHER  
18 PERSON, FROM AN INDIVIDUAL REGULATED LOBBYIST.

19 (3) AN OFFICIAL OR EMPLOYEE MAY NOT KNOWINGLY ACCEPT A GIFT,  
20 DIRECTLY OR INDIRECTLY, FROM A PERSON THAT THE OFFICIAL OR  
21 EMPLOYEE KNOWS OR HAS THE REASON TO KNOW:

22 (A) IS DOING BUSINESS WITH OR SEEKING TO DO BUSINESS WITH  
23 THE COUNTY OFFICE, AGENCY, BOARD OR COMMISSION WITH  
24 WHICH THE OFFICIAL OR EMPLOYEE IS AFFILIATED;

25 (B) HAS FINANCIAL INTERESTS THAT MAY BE SUBSTANTIALLY AND  
26 MATERIALLY AFFECTED, IN A MANNER DISTINGUISHABLE FROM

1 THE PUBLIC GENERALLY, BY THE PERFORMANCE OR  
2 NONPERFORMANCE OF THE OFFICIAL DUTIES OF THE OFFICIAL  
3 OR EMPLOYEE;

4 (C) IS ENGAGED IN AN ACTIVITY REGULATED OR CONTROLLED BY  
5 THE OFFICIAL'S OR EMPLOYEE'S GOVERNMENTAL UNIT; OR

6 (D) IS A LOBBYIST WITH RESPECT TO MATTERS WITHIN THE  
7 JURISDICTION OF THE OFFICIAL OR EMPLOYEE.

8 (4) PARAGRAPH (5) OF THIS SUBSECTION DOES NOT APPLY TO A GIFT:

9 (A) THAT WOULD TEND TO IMPAIR THE IMPARTIALITY AND THE  
10 INDEPENDENCE OF JUDGMENT OF THE OFFICIAL OR EMPLOYEE  
11 RECEIVING THE GIFT;

12 (B) OF SIGNIFICANT VALUE THAT WOULD GIVE THE APPEARANCE  
13 OF IMPAIRING THE IMPARTIALITY AND INDEPENDENCE OF  
14 JUDGMENT OF THE OFFICIAL OR EMPLOYEE; OR

15 (C) OF SIGNIFICANT VALUE THAT THE RECIPIENT OFFICIAL OR  
16 EMPLOYEE BELIEVES OR HAS REASON TO BELIEVE IS DESIGNED  
17 TO IMPAIR THE IMPARTIALITY AND INDEPENDENCE OF  
18 JUDGMENT OF THE OFFICIAL OR EMPLOYEE.

19 (5) NOTWITHSTANDING PARAGRAPH (3) OF THIS SUBSECTION, AN  
20 OFFICIAL OR EMPLOYEE MAY ACCEPT THE FOLLOWING:

21 (A) MEALS AND BEVERAGES CONSUMED IN THE PRESENCE OF THE  
22 DONOR OR SPONSORING ENTITY;

23 (B) CEREMONIAL GIFTS OR AWARDS THAT HAVE INSIGNIFICANT  
24 MONETARY VALUE;

25 (C) UNSOLICITED GIFTS OF NOMINAL VALUE THAT DO NOT EXCEED  
26 \$20 IN COST OR TRIVIAL ITEMS OF INFORMATIONAL VALUE;

- 1 (D) REASONABLE EXPENSES FOR FOOD, TRAVEL, LODGING AND  
2 SCHEDULED ENTERTAINMENT OF THE OFFICIAL OR THE  
3 EMPLOYEE AT A MEETING WHICH IS GIVEN IN RETURN FOR THE  
4 PARTICIPATION OF THE OFFICIAL OR EMPLOYEE IN A PANEL OR  
5 SPEAKING ENGAGEMENT AT THE MEETING;
- 6 (E) GIFTS OF TICKETS OR FREE ADMISSION EXTENDED TO AN  
7 ELECTED LOCAL OFFICIAL TO ATTEND A CHARITABLE,  
8 CULTURAL OR POLITICAL EVENT, IF THE PURPOSE OF THIS GIFT  
9 OR ADMISSION IS A COURTESY OR CEREMONY EXTENDED TO  
10 THE ELECTED OFFICIAL'S OFFICE;
- 11 (F) A SPECIFIC GIFT OR CLASS OF GIFTS THAT THE BOARD EXEMPTS  
12 FROM THE OPERATION OF THIS SUBSECTION UPON A FINDING, IN  
13 WRITING, THAT ACCEPTANCE OF THE GIFT OR CLASS OF GIFTS  
14 WOULD NOT BE DETRIMENTAL TO THE IMPARTIAL CONDUCT OF  
15 THE BUSINESS OF THE COUNTY AND THAT THE GIFT IS PURELY  
16 PERSONAL AND PRIVATE IN NATURE;
- 17 (G) GIFTS FROM A PERSON RELATED TO THE OFFICIAL OR  
18 EMPLOYEE BY BLOOD OR MARRIAGE, OR ANY OTHER  
19 INDIVIDUAL WHO IS A MEMBER OF THE HOUSEHOLD OF THE  
20 OFFICIAL OR EMPLOYEE; OR
- 21 (H) HONORARIA FOR SPEAKING TO OR PARTICIPATING IN A  
22 MEETING, PROVIDED THAT THE OFFERING OF THE HONORARIUM  
23 IS IN NOT RELATED IN ANY WAY TO THE OFFICIAL'S OR  
24 EMPLOYEE'S OFFICIAL POSITION. AN HONORARIUM MAY BE  
25 ACCEPTED IF IT IS INTENDED AS PAYMENT FOR TEACHING OR  
26 PERFORMING OTHER SERVICES THAT DO NOT CONFLICT WITH

1 THE OFFICIAL'S OR EMPLOYEE'S OFFICIAL DUTIES.

2 (6) EXEMPTIONS FROM THIS SECTION MAY BE GRANTED IN THE  
3 FOLLOWING MANNER TO AN OFFICIAL OR EMPLOYEE WHO SERVES ON  
4 A COUNTY BOARD, COMMISSION OR COMMITTEE:

5 (A) IF THE OFFICIAL OR EMPLOYEE IS APPOINTED BY THE COUNTY  
6 COUNCIL, THE BOARD MAY GRANT AN EXEMPTION UPON THE  
7 RECOMMENDATION OF THE COUNCIL; OR

8 (B) IF THE OFFICIAL OR EMPLOYEE IS APPOINTED BY THE COUNTY  
9 EXECUTIVE, THE COUNTY COUNCIL MAY GRANT AN EXEMPTION  
10 UPON THE RECOMMENDATION OF THE BOARD.

11 (C) AN EXEMPTION MAY BE GRANTED ONLY UPON A FINDING THAT:

12 [1] APPLICATION OF THIS SECTION TO THE OFFICIAL OR  
13 EMPLOYEE WOULD:

14 [A] CONSTITUTE AN UNREASONABLE INVASION OF  
15 PRIVACY; OR

16 [B] SIGNIFICANTLY REDUCE THE AVAILABILITY OF  
17 QUALIFIED INDIVIDUALS FOR PUBLIC SERVICE; AND

18 [2] THE EXEMPTION WOULD NOT BE CONTRARY TO THE  
19 PURPOSES OF THIS SECTION.

20 (D) WHENEVER POSSIBLE, APPLICATION FOR AN EXEMPTION UNDER  
21 THIS SUBSECTION SHALL BE MADE AT THE TIME THE OFFICIAL  
22 OR EMPLOYEE IN QUESTION IS APPOINTED.

23 I. DISCLOSURE OF CONFIDENTIAL INFORMATION. OTHER THAN IN THE  
24 DISCHARGE OF OFFICIAL DUTIES, AN OFFICIAL OR EMPLOYEE MAY NOT  
25 DISCLOSE OR USE CONFIDENTIAL INFORMATION, THAT THE OFFICIAL OR  
26 EMPLOYEE ACQUIRED BY REASON OF THE OFFICIAL'S OR EMPLOYEE'S

1 PUBLIC POSITION AND THAT IS NOT AVAILABLE TO THE PUBLIC, FOR THE  
2 ECONOMIC BENEFIT OF THE OFFICIAL OR EMPLOYEE OR THAT OF ANOTHER  
3 PERSON.

4 J. PARTICIPATION IN PROCUREMENT.

5 (1) AN INDIVIDUAL OR A PERSON THAT EMPLOYS AN INDIVIDUAL WHO  
6 ASSISTS A COUNTY AGENCY IN THE DRAFTING OF SPECIFICATIONS, AN  
7 INVITATION FOR BIDS OR A REQUEST FOR PROPOSALS FOR A  
8 PROCUREMENT MAY NOT SUBMIT A BID OR PROPOSAL FOR THAT  
9 PROCUREMENT OR ASSIST OR REPRESENT ANOTHER PERSON,  
10 DIRECTLY OR INDIRECTLY, WHO IS SUBMITTING A BID OR PROPOSAL  
11 FOR THE PROCUREMENT.

12 (2) THE BOARD MAY ESTABLISH EXEMPTIONS FROM THE REQUIREMENTS  
13 OF THIS SECTION FOR PROVIDING DESCRIPTIVE LITERATURE, SOLE  
14 SOURCE PROCUREMENTS AND WRITTEN COMMENTS SOLICITED BY  
15 THE PROCURING AGENCY.

16 **§ 23-6. FINANCIAL DISCLOSURE - LOCAL ELECTED OFFICIALS, CANDIDATES TO**  
17 **BE LOCAL ELECTED OFFICIALS, EMPLOYEES AND APPOINTED OFFICIALS.**

18 A. (1) A LOCAL ELECTED OFFICIAL, A CANDIDATE TO BE A LOCAL ELECTED  
19 OFFICIAL OR APPOINTED EMPLOYEES AND EMPLOYEES DESIGNATED  
20 IN SUBSECTION C OF THIS SECTION SHALL FILE THE FINANCIAL  
21 DISCLOSURE STATEMENT REQUIRED UNDER THIS SECTION:

- 22 (A) ON A FORM PROVIDED BY THE BOARD;  
23 (B) UNDER OATH OR AFFIRMATION; AND  
24 (C) WITH THE BOARD.

25 (2) DEADLINES FOR FILING STATEMENTS.

26 (A) AN INCUMBENT LOCAL ELECTED OFFICIAL SHALL FILE A

FINANCIAL DISCLOSURE STATEMENT ANNUALLY NO LATER  
THAN APRIL 30 OF EACH YEAR FOR THE PRECEDING CALENDAR  
YEAR.

(B) AN INDIVIDUAL WHO IS APPOINTED TO FILL A VACANCY IN AN  
OFFICE FOR WHICH A FINANCIAL DISCLOSURE STATEMENT IS  
REQUIRED AND WHO HAS NOT ALREADY FILED A FINANCIAL  
DISCLOSURE STATEMENT SHALL FILE A STATEMENT FOR THE  
PRECEDING CALENDAR YEAR WITHIN 30 DAYS AFTER  
APPOINTMENT.

(C) [1] AN INDIVIDUAL WHO, OTHER THAN BY REASON OF  
DEATH, LEAVES AN OFFICE FOR WHICH A STATEMENT IS  
REQUIRED SHALL FILE A STATEMENT WITHIN 60 DAYS  
AFTER LEAVING THE OFFICE.

[2] THE STATEMENT SHALL COVER:

[A] THE CALENDAR YEAR IMMEDIATELY PRECEDING  
THE YEAR IN WHICH THE INDIVIDUAL LEFT OFFICE,  
UNLESS A STATEMENT COVERING THAT YEAR HAS  
ALREADY BEEN FILED BY THE INDIVIDUAL; AND

[B] THE PORTION OF THE CURRENT CALENDAR YEAR  
DURING WHICH THE INDIVIDUAL HELD THE OFFICE.

B. CANDIDATES TO BE LOCAL ELECTED OFFICIALS.

(1) EXCEPT FOR AN OFFICIAL WHO HAS FILED A FINANCIAL DISCLOSURE  
STATEMENT UNDER ANOTHER PROVISION OF THIS SECTION FOR THE  
REPORTING PERIOD, A CANDIDATE TO BE AN ELECTED LOCAL  
OFFICIAL SHALL FILE UNDER A FINANCIAL DISCLOSURE STATEMENT  
EACH YEAR BEGINNING WITH THE YEAR IN WHICH THE CERTIFICATE



1 OF CANDIDACY IS FILED THROUGH THE YEAR OF THE ELECTION.

2 (2) A CANDIDATE TO BE AN ELECTED LOCAL OFFICIAL SHALL FILE A  
3 STATEMENT REQUIRED UNDER THIS SECTION:

4 (A) IN THE YEAR THE CERTIFICATE OF CANDIDACY IS FILED, NO  
5 LATER THAN THE FILING OF THE CERTIFICATE OF CANDIDACY;

6 (B) IN THE YEAR OF THE ELECTION, ON OR BEFORE THE EARLIER OF  
7 APRIL 30 OR THE LAST DAY FOR THE WITHDRAWAL OF  
8 CANDIDACY; AND

9 (C) IN ALL OTHER YEARS FOR WHICH A STATEMENT IS REQUIRED,  
10 ON OR BEFORE APRIL 30.

11 (3) A CANDIDATE TO BE AN ELECTED OFFICIAL:

12 (A) MAY FILE THE STATEMENT REQUIRED UNDER §23-5B(2)(A) OF  
13 THIS CHAPTER WITH THE COUNTY OR BOARD OF ELECTION  
14 SUPERVISORS WITH THE CERTIFICATE OF CANDIDACY OR WITH  
15 THE BOARD PRIOR TO FILING THE CERTIFICATE OF CANDIDACY;  
16 AND

17 (B) SHALL FILE THE STATEMENTS REQUIRED UNDER §23-5B(2)(B)  
18 AND (C) WITH THE BOARD.

19 (4) IF A CANDIDATE FAILS TO FILE A STATEMENT REQUIRED BY THIS  
20 SECTION AFTER WRITTEN NOTICE IS PROVIDED BY THE COUNTY OR  
21 BOARD OF ELECTION SUPERVISORS AT LEAST 20 DAYS BEFORE THE  
22 LAST DAY FOR THE WITHDRAWAL OF CANDIDACY, THE CANDIDATE IS  
23 DEEMED TO HAVE WITHDRAWN THE CANDIDACY.

24 (5) THE COUNTY OR BOARD OF ELECTION SUPERVISORS MAY NOT ACCEPT  
25 ANY CERTIFICATE OF CANDIDACY UNLESS A STATEMENT HAS BEEN  
26 FILED IN PROPER FORM.

(6) WITHIN 30 DAYS OF THE RECEIPT OF A STATEMENT REQUIRED UNDER THIS SECTION, THE COUNTY OR BOARD OF ELECTION SUPERVISORS SHALL FORWARD THE STATEMENT TO THE BOARD OR THE OFFICE DESIGNATED BY THE BOARD.

C. THE FOLLOWING APPOINTED OFFICIALS AND EMPLOYEES SHALL FILE A FINANCIAL DISCLOSURE STATEMENT ON OR BEFORE APRIL 30 EACH YEAR:

(1) DIRECTOR OF ADMINISTRATION.

(2) DIRECTOR, OFFICER OR COORDINATOR OF THE FOLLOWING COUNTY DEPARTMENTS AND AGENCIES:

(A) COMMUNITY SERVICES;

(B) ECONOMIC DEVELOPMENT;

(C) HUMAN RELATIONS COMMISSION;

(D) HUMAN RESOURCES;

(E) INFORMATION AND COMMUNICATIONS TECHNOLOGY;

(F) INSPECTIONS, LICENSES AND PERMITS;

(G) THE DIRECTOR OF THE LIBRARY;

(H) PARKS AND RECREATION;

(I) PLANNING AND ZONING;

(J) PROCUREMENT;

(K) PUBLIC WORKS; AND

(L) TREASURY.

(3) COUNTY ATTORNEY, DEPUTY COUNTY ATTORNEY AND ASSISTANT COUNTY ATTORNEYS.

(4) COUNCIL ADMINISTRATOR.

(5) COUNTY COUNCIL ATTORNEY AND ASSISTANT COUNCIL ATTORNEYS.

(6) HEARING EXAMINERS.

1 PEOPLE'S COUNSEL. (7)

2 THE MEMBERS OF THE FOLLOWING COUNTY BOARDS: (8)

3 (A) THE CITIZENS NURSING HOME BOARD;

4 (B) THE OFFICE ON MENTAL HEALTH CORE SERVICE AGENCY OF HARFORD COUNTY, INC.;

5 THE BOARD OF ESTIMATES;

6 (C) THE BOARD OF ETHICS;

7 (D) THE HARFORD CENTER BOARD OF DIRECTORS;

8 (E) THE BOARD OF LIBRARY TRUSTEES;

9 (F) THE PERSONNEL ADVISORY BOARD; AND

10 (G) THE PLANNING ADVISORY BOARD.

11 (H) ALL EMPLOYEES IN THE CLASSIFIED SERVICE AT GRADE LEVEL MG1 OR ABOVE.

12 (9) ANY OTHER OFFICIAL, EMPLOYEE OR APPOINTEE OF THE LEGISLATIVE BRANCH OF THE COUNTY GOVERNMENT WHOM THE COUNTY COUNCIL DESIGNATES BY RESOLUTION.

13 D. PUBLIC RECORD.

14 (1) THE BOARD OR OFFICE DESIGNATED BY THE BOARD SHALL MAINTAIN ALL FINANCIAL DISCLOSURE STATEMENTS FILED UNDER THIS SECTION.

15 (2) FINANCIAL DISCLOSURE STATEMENTS SHALL BE MADE AVAILABLE DURING NORMAL OFFICE HOURS FOR EXAMINATION AND COPYING BY THE PUBLIC SUBJECT TO REASONABLE FEES AND ADMINISTRATIVE PROCEDURES ESTABLISHED BY THE BOARD.

16 (3) IF AN INDIVIDUAL EXAMINES OR COPIES A FINANCIAL DISCLOSURE STATEMENT, THE BOARD OR THE OFFICE DESIGNATED BY THE BOARD

SHALL RECORD:

(A) THE NAME AND HOME ADDRESS OF THE INDIVIDUAL  
REVIEWING OR COPYING THE STATEMENT; AND

(B) THE NAME OF THE PERSON WHOSE FINANCIAL DISCLOSURE  
STATEMENT WAS EXAMINED OR COPIED.

(4) UPON REQUEST BY THE OFFICIAL OR EMPLOYEE WHOSE FINANCIAL  
DISCLOSURE STATEMENT WAS EXAMINED OR COPIED, THE BOARD OR  
THE OFFICE DESIGNATED BY THE BOARD SHALL PROVIDE THE  
OFFICIAL WITH A COPY OF THE NAME AND HOME ADDRESS OF THE  
PERSON WHO REVIEWED THE OFFICIAL'S FINANCIAL DISCLOSURE  
STATEMENT.

E. RETENTION REQUIREMENTS. THE BOARD OR THE OFFICE DESIGNATED BY  
THE BOARD SHALL RETAIN FINANCIAL DISCLOSURE STATEMENTS FOR FOUR  
YEARS FROM THE DATE OF RECEIPT.

F. CONTENTS OF STATEMENT.

(1) INTERESTS IN REAL PROPERTY.

(A) A STATEMENT FILED UNDER THIS SECTION SHALL INCLUDE A  
SCHEDULE OF ALL INTERESTS IN REAL PROPERTY WHEREVER  
LOCATED.

(B) FOR EACH INTEREST IN REAL PROPERTY, THE SCHEDULE SHALL  
INCLUDE:

[1] THE NATURE OF THE PROPERTY AND THE LOCATION BY  
STREET ADDRESS, MAILING ADDRESS OR LEGAL  
DESCRIPTION OF THE PROPERTY;

[2] THE NATURE AND EXTENT OF THE INTEREST HELD,  
INCLUDING ANY CONDITIONS AND ENCUMBRANCES ON

1 THE INTEREST;

2 [3] THE DATE WHEN, THE MANNER IN WHICH AND THE  
3 IDENTITY OF THE PERSON FROM WHOM THE INTEREST  
4 WAS ACQUIRED;

5 [4] THE NATURE AND AMOUNT OF THE CONSIDERATION  
6 GIVEN IN EXCHANGE FOR THE INTEREST OR, IF ACQUIRED  
7 OTHER THAN BY PURCHASE, THE FAIR MARKET VALUE OF  
8 THE INTEREST AT THE TIME ACQUIRED;

9 [5] IF ANY INTEREST WAS TRANSFERRED, IN WHOLE OR IN  
10 PART, AT ANY TIME DURING THE REPORTING PERIOD, A  
11 DESCRIPTION OF THE INTEREST TRANSFERRED, THE  
12 NATURE AND AMOUNT OF THE CONSIDERATION  
13 RECEIVED FOR THE INTEREST AND THE IDENTITY OF THE  
14 PERSON TO WHOM THE INTEREST WAS TRANSFERRED;  
15 AND

16 [6] THE IDENTITY OF ANY OTHER PERSON WITH AN INTEREST  
17 IN THE PROPERTY.

18 (2) INTERESTS IN CORPORATIONS AND PARTNERSHIPS.

19 (A) A STATEMENT FILED UNDER THIS SECTION SHALL INCLUDE A  
20 SCHEDULE OF ALL INTERESTS IN ANY CORPORATION,  
21 PARTNERSHIP, LIMITED LIABILITY PARTNERSHIP OR LIMITED  
22 LIABILITY CORPORATION, REGARDLESS OF WHETHER THE  
23 CORPORATION OR PARTNERSHIP DOES BUSINESS WITH THE  
24 COUNTY.

25 (B) FOR EACH INTEREST REPORTED UNDER THIS PARAGRAPH, THE  
26 SCHEDULE SHALL INCLUDE:

1 [1] THE NAME AND ADDRESS OF THE PRINCIPAL OFFICE OF  
2 THE CORPORATION, PARTNERSHIP, LIMITED LIABILITY  
3 PARTNERSHIP OR LIMITED LIABILITY CORPORATION;

4 [2] THE NATURE AND AMOUNT OF THE INTEREST HELD,  
5 INCLUDING ANY CONDITIONS AND ENCUMBRANCES ON  
6 THE INTEREST;

7 [3] WITH RESPECT TO ANY INTEREST TRANSFERRED, IN  
8 WHOLE OR IN PART, AT ANY TIME DURING THE  
9 REPORTING PERIOD, A DESCRIPTION OF THE INTEREST  
10 TRANSFERRED, THE NATURE AND AMOUNT OF THE  
11 CONSIDERATION RECEIVED FOR THE INTEREST AND, IF  
12 KNOWN, THE IDENTITY OF THE PERSON TO WHOM THE  
13 INTEREST WAS TRANSFERRED; AND

14 [4] WITH RESPECT TO ANY INTEREST ACQUIRED DURING THE  
15 REPORTING PERIOD:

16 [A] THE DATE WHEN, THE MANNER IN WHICH AND THE  
17 IDENTITY OF THE PERSON FROM WHOM THE  
18 INTEREST WAS ACQUIRED; AND

19 [B] THE NATURE AND THE AMOUNT OF THE  
20 CONSIDERATION GIVEN IN EXCHANGE FOR THE  
21 INTEREST OR, IF ACQUIRED OTHER THAN BY  
22 PURCHASE, THE FAIR MARKET VALUE OF THE  
23 INTEREST AT THE TIME ACQUIRED.

24 (C) AN INDIVIDUAL MAY SATISFY THE REQUIREMENT TO REPORT  
25 THE AMOUNT OF THE INTEREST HELD UNDER ITEM (B)[2] OF  
26 THIS PARAGRAPH BY REPORTING, INSTEAD OF A DOLLAR

1           AMOUNT:

2           [1]   FOR AN EQUITY INTEREST IN A CORPORATION, THE  
3               NUMBER OF SHARES HELD AND, UNLESS THE  
4               CORPORATION'S STOCK IS PUBLICLY TRADED, THE  
5               PERCENTAGE OF EQUITY INTEREST HELD; OR

6           [2]   FOR AN EQUITY INTEREST IN A PARTNERSHIP, THE  
7               PERCENTAGE OF EQUITY INTEREST HELD.

8       (3)   INTERESTS IN BUSINESS ENTITIES DOING BUSINESS WITH THE COUNTY.

9           (A)   A STATEMENT FILED UNDER THIS SECTION SHALL INCLUDE A  
10               SCHEDULE OF ALL INTERESTS IN ANY BUSINESS ENTITY THAT  
11               DOES BUSINESS WITH THE COUNTY, OTHER THAN INTERESTS  
12               REPORTED UNDER PARAGRAPH (2) OF THIS SUBSECTION.

13          (B)   FOR EACH INTEREST REPORTED UNDER THIS PARAGRAPH, THE  
14               SCHEDULE SHALL INCLUDE:

15           [1]   THE NAME AND ADDRESS OF THE PRINCIPAL OFFICE OF  
16               THE BUSINESS ENTITY;

17           [2]   THE NATURE AND AMOUNT OF THE INTEREST HELD,  
18               INCLUDING ANY CONDITIONS TO AND ENCUMBRANCES IN  
19               THE INTEREST;

20           [3]   WITH RESPECT TO ANY INTEREST TRANSFERRED, IN  
21               WHOLE OR IN PART, AT ANY TIME DURING THE  
22               REPORTING PERIOD, A DESCRIPTION OF THE INTEREST  
23               TRANSFERRED, THE NATURE AND AMOUNT OF THE  
24               CONSIDERATION RECEIVED IN EXCHANGE FOR THE  
25               INTEREST AND, IF KNOWN, THE IDENTITY OF THE PERSON  
26               TO WHOM THE INTEREST WAS TRANSFERRED; AND

[4] WITH RESPECT TO ANY INTEREST ACQUIRED DURING THE REPORTING PERIOD:

[A] THE DATE WHEN, THE MANNER IN WHICH AND THE IDENTITY OF THE PERSON FROM WHOM THE INTEREST WAS ACQUIRED; AND

[B] THE NATURE AND THE AMOUNT OF THE CONSIDERATION GIVEN IN EXCHANGE FOR THE INTEREST OR, IF ACQUIRED OTHER THAN BY PURCHASE, THE FAIR MARKET VALUE OF THE INTEREST AT THE TIME ACQUIRED.

(4) GIFTS.

(A) A STATEMENT FILED UNDER THIS SECTION SHALL INCLUDE A SCHEDULE OF EACH GIFT IN EXCESS OF \$20 IN VALUE OR A SERIES OF GIFTS TOTALING \$100 OR MORE RECEIVED DURING THE REPORTING PERIOD FROM OR ON BEHALF OF, DIRECTLY OR INDIRECTLY, ANY ONE PERSON WHO DOES BUSINESS WITH OR IS REGULATED BY THE COUNTY.

(B) FOR EACH GIFT REPORTED, THE SCHEDULE SHALL INCLUDE:

[1] A DESCRIPTION OF THE NATURE AND VALUE OF THE GIFT;  
AND

[2] THE IDENTITY OF THE PERSON FROM WHOM, OR ON BEHALF OF WHOM, DIRECTLY OR INDIRECTLY, THE GIFT WAS RECEIVED.

(5) EMPLOYMENT WITH OR INTERESTS IN ENTITIES DOING BUSINESS WITH THE COUNTY.

(A) A STATEMENT FILED UNDER THIS SECTION SHALL INCLUDE A



SCHEDULE OF ALL OFFICES, DIRECTORSHIPS AND SALARIED  
EMPLOYMENT BY THE INDIVIDUAL OR MEMBER OF THE  
IMMEDIATE FAMILY OF THE INDIVIDUAL (HEREINAFTER  
DEFINED TO MEAN HIS/HER SPOUSE AND DEPENDENT CHILD)  
HELD AT ANY TIME DURING THE REPORTING PERIOD WITH  
ENTITIES DOING BUSINESS WITH THE COUNTY.

(B) FOR EACH POSITION REPORTED UNDER THIS PARAGRAPH, THE  
SCHEDULE SHALL INCLUDE:

[1] THE NAME AND ADDRESS OF THE PRINCIPAL OFFICE OF  
THE BUSINESS ENTITY;

[2] THE TITLE AND NATURE OF THE OFFICE, DIRECTORSHIP  
OR SALARIED EMPLOYMENT HELD AND THE DATE IT  
COMMENCED; AND

[3] THE NAME OF EACH COUNTY AGENCY WITH WHICH THE  
ENTITY IS INVOLVED.

(6) INDEBTEDNESS TO ENTITIES DOING BUSINESS WITH THE COUNTY.

(A) A STATEMENT FILED UNDER THIS SECTION SHALL INCLUDE A  
SCHEDULE OF ALL LIABILITIES, EXCLUDING RETAIL CREDIT  
ACCOUNTS, TO PERSONS DOING BUSINESS WITH THE COUNTY  
OWED AT ANY TIME DURING THE REPORTING PERIOD:

[1] BY THE INDIVIDUAL; OR

[2] BY A MEMBER OF THE IMMEDIATE FAMILY OF THE  
INDIVIDUAL IF THE INDIVIDUAL WAS INVOLVED IN THE

TRANSACTION GIVING RISE TO THE LIABILITY.

(B) FOR EACH LIABILITY REPORTED UNDER THIS PARAGRAPH, THE  
SCHEDULE SHALL INCLUDE:

1 [1] THE IDENTITY OF THE PERSON TO WHOM THE LIABILITY  
2 WAS OWED AND THE DATE THE LIABILITY WAS  
3 INCURRED;

4 [2] THE AMOUNT OF THE LIABILITY OWED AS OF THE END OF  
5 THE REPORTING PERIOD;

6 [3] THE TERMS OF PAYMENT OF THE LIABILITY AND THE  
7 EXTENT TO WHICH THE PRINCIPAL AMOUNT OF THE  
8 LIABILITY WAS INCREASED OR REDUCED DURING THE  
9 YEAR; AND

10 [4] THE SECURITY GIVEN, IF ANY, FOR THE LIABILITY.

11 (7) A STATEMENT FILED UNDER THIS SECTION SHALL INCLUDE A  
12 SCHEDULE OF THE IMMEDIATE FAMILY MEMBERS OF THE INDIVIDUAL  
13 EMPLOYED BY THE COUNTY IN ANY CAPACITY AT ANY TIME DURING  
14 THE REPORTING PERIOD.

15 (8) SOURCES OF EARNED INCOME.

16 (A) A STATEMENT FILED UNDER THIS SECTION SHALL INCLUDE A  
17 SCHEDULE OF THE NAME AND ADDRESS OF EACH PLACE OF  
18 EMPLOYMENT AND OF EACH BUSINESS ENTITY OF WHICH THE  
19 INDIVIDUAL OR A MEMBER OF THE INDIVIDUAL'S IMMEDIATE  
20 FAMILY WAS A SOLE OR PARTIAL OWNER AND FROM WHICH  
21 THE INDIVIDUAL OR MEMBER OF THE INDIVIDUAL'S IMMEDIATE  
22 FAMILY RECEIVED EARNED INCOME, AT ANY TIME DURING THE  
23 REPORTING PERIOD.

24 (B) A MINOR CHILD'S EMPLOYMENT OR BUSINESS OWNERSHIP NEED  
25 NOT BE DISCLOSED IF THE AGENCY THAT EMPLOYS THE  
26 INDIVIDUAL DOES NOT REGULATE, EXERCISE AUTHORITY OVER

OR CONTRACT WITH THE PLACE OF EMPLOYMENT OR BUSINESS

ENTITY OF THE MINOR CHILD.

(9) A STATEMENT FILED UNDER THIS SECTION MAY ALSO INCLUDE A SCHEDULE OF ADDITIONAL INTERESTS OR INFORMATION THAT THE INDIVIDUAL MAKING THE STATEMENT WISHES TO DISCLOSE.

G. FOR THE PURPOSES OF §23-5E(1), (2) AND (3) OF THIS CHAPTER, THE FOLLOWING INTERESTS ARE CONSIDERED TO BE THE INTERESTS OF THE INDIVIDUAL MAKING THE STATEMENT:

(1) AN INTEREST HELD BY A MEMBER OF THE INDIVIDUAL'S IMMEDIATE FAMILY, IF THE INTEREST WAS, AT ANY TIME DURING THE REPORTING PERIOD, DIRECTLY OR INDIRECTLY CONTROLLED BY THE INDIVIDUAL.

(2) AN INTEREST HELD BY A BUSINESS ENTITY IN WHICH THE INDIVIDUAL HELD A 30% OR GREATER INTEREST AT ANY TIME DURING THE REPORTING PERIOD.

(3) AN INTEREST HELD BY A TRUST OR AN ESTATE IN WHICH, AT ANY TIME DURING THE REPORTING PERIOD:

(A) THE INDIVIDUAL HELD A REVERSIONARY INTEREST OR WAS A BENEFICIARY; OR

(B) IF A REVOCABLE TRUST, THE INDIVIDUAL WAS A SETTLOR.

H. (1) THE BOARD SHALL REVIEW THE FINANCIAL DISCLOSURE STATEMENTS SUBMITTED UNDER THIS SECTION FOR COMPLIANCE WITH THE PROVISIONS OF THIS SECTION AND SHALL NOTIFY AN INDIVIDUAL SUBMITTING THE STATEMENT OF ANY OMISSIONS OR DEFICIENCIES.

(2) THE HARFORD COUNTY ETHICS BOARD MAY TAKE APPROPRIATE ENFORCEMENT ACTION TO ENSURE COMPLIANCE WITH THIS SECTION.

**§ 23-7. LOBBYING.**

A. A PERSON SHALL FILE A LOBBYING REGISTRATION STATEMENT WITH THE BOARD IF THE PERSON:

(1) PERSONALLY APPEARS BEFORE A COUNTY OFFICIAL OR EMPLOYEE WITH THE INTENT TO INFLUENCE THAT PERSON IN PERFORMANCE OF THE OFFICIAL DUTIES OF THE OFFICIAL OR EMPLOYEE; AND

(2) IN CONNECTION WITH THE INTENT TO INFLUENCE, EXPENDS OR REASONABLY EXPECTS TO EXPEND IN A GIVEN CALENDAR YEAR IN EXCESS OF \$100 ON FOOD, ENTERTAINMENT OR OTHER GIFTS FOR OFFICIALS OR EMPLOYEES OF THE COUNTY.

B. A PERSON SHALL FILE A REGISTRATION STATEMENT REQUIRED UNDER THIS SECTION ON OR BEFORE THE LATER OF JANUARY 15 OF THE CALENDAR YEAR OR WITHIN 5 DAYS AFTER FIRST PERFORMING AN ACT THAT REQUIRES REGISTRATION IN THE CALENDAR YEAR.

C. (1) THE REGISTRATION STATEMENT SHALL IDENTIFY:

(A) THE REGISTRANT;

(B) ANY OTHER PERSON ON WHOSE BEHALF THE REGISTRANT ACTS;  
AND

(C) THE SUBJECT MATTER ON WHICH THE REGISTRANT PROPOSES TO MAKE APPEARANCES SPECIFIED IN SUBSECTION A OF THIS SECTION.

(2) THE REGISTRATION STATEMENT SHALL COVER A DEFINED REGISTRATION PERIOD NOT TO EXCEED ONE CALENDAR YEAR.

D. WITHIN 30 DAYS AFTER THE END OF ANY CALENDAR YEAR DURING WHICH A PERSON WAS REGISTERED UNDER THIS SECTION, THE PERSON SHALL FILE A REPORT WITH THE BOARD DISCLOSING:

(1) THE VALUE, DATE AND NATURE OF ANY FOOD, ENTERTAINMENT OR  
OTHER GIFT PROVIDED TO A COUNTY OFFICIAL OR EMPLOYEE; AND

(2) IF A GIFT OR SERIES OF GIFTS TO A SINGLE OFFICIAL OR EMPLOYEE  
EXCEEDS \$100 IN VALUE, THE IDENTITY OF THE OFFICIAL OR  
EMPLOYEE.

E. THE BOARD SHALL MAINTAIN THE REGISTRATIONS AND REPORTS FILED  
UNDER THIS SECTION AS PUBLIC RECORDS AVAILABLE FOR PUBLIC  
INSPECTION AND COPYING FOR FOUR YEARS AFTER RECEIPT BY THE BOARD.

**§ 23-8. EXEMPTIONS AND MODIFICATIONS.**

THE BOARD MAY GRANT EXEMPTIONS AND MODIFICATIONS TO THE PROVISIONS OF  
§§23-5 AND 23-6C OF THIS CHAPTER TO FORMER OFFICIALS, EMPLOYEES AND TO  
APPOINTED MEMBERS OF HARFORD COUNTY BOARDS AND COMMISSIONS, WHEN  
THE BOARD FINDS THAT AN EXEMPTION OR MODIFICATION WOULD NOT BE  
CONTRARY TO THE PURPOSES OF THIS CHAPTER, AND THE APPLICATION OF THIS  
CHAPTER WOULD:

A. CONSTITUTE AN UNREASONABLE INVASION OF PRIVACY; AND

B. SIGNIFICANTLY REDUCE THE AVAILABILITY OF QUALIFIED PERSONS FOR  
PUBLIC SERVICE.

**§ 23-9. ENFORCEMENT.**

A. THE BOARD MAY:

(1) ASSESS A LATE FEE OF \$2 PER DAY UP TO A MAXIMUM OF \$250 FOR A  
FAILURE TO TIMELY FILE A FINANCIAL DISCLOSURE STATEMENT  
REQUIRED UNDER §§23-6 OR 23-7 OF THIS CHAPTER;

(2) ASSESS A LATE FEE OF \$10 PER DAY UP TO A MAXIMUM OF \$250 FOR A  
FAILURE TO FILE A TIMELY LOBBYIST REGISTRATION OR LOBBYIST  
REPORT REQUIRED UNDER §23-8 OF THIS CHAPTER; AND

1 (3) ISSUE A CEASE AND DESIST ORDER AGAINST ANY PERSON FOUND TO  
2 BE IN VIOLATION OF THIS CHAPTER.

3 B. (1) UPON A FINDING OF A VIOLATION OF ANY PROVISION OF THIS  
4 CHAPTER, THE BOARD MAY:

5 (A) ISSUE AN ORDER OF COMPLIANCE DIRECTING THE RESPONDENT  
6 TO CEASE AND DESIST FROM THE VIOLATION;

7 (B) ISSUE A REPRIMAND; OR

8 (C) RECOMMEND TO THE APPROPRIATE AUTHORITY OTHER  
9 APPROPRIATE DISCIPLINE OF THE RESPONDENT, INCLUDING  
10 CENSURE OR REMOVAL IF THAT DISCIPLINE IS AUTHORIZED BY  
11 LAW.

12 (2) IF THE BOARD FINDS THAT A RESPONDENT HAS VIOLATED §23-7 OF  
13 THIS CHAPTER, THE BOARD MAY:

14 (A) REQUIRE A RESPONDENT WHO IS A REGISTERED LOBBYIST TO  
15 FILE ANY ADDITIONAL REPORTS OR INFORMATION THAT  
16 REASONABLY RELATED TO THE INFORMATION THAT IS  
17 REQUIRED UNDER §23-8 OF THIS CHAPTER;

18 (B) IMPOSE A FINE NOT EXCEEDING \$5,000 FOR EACH VIOLATION;  
19 AND

20 (C) SUSPEND THE REGISTRATION OF AN INDIVIDUAL REGISTERED  
21 LOBBYIST IF THE BOARD FINDS THAT THE LOBBYIST HAS  
22 KNOWINGLY AND WILLFULLY VIOLATED §23-7 OF THIS CHAPTER  
23 OR HAS BEEN CONVICTED OF A CRIMINAL OFFENSE ARISING  
24 FROM LOBBYING ACTIVITIES.

25 C. (1) UPON REQUEST OF BY THE BOARD, THE COUNTY ATTORNEY MAY FILE  
26 A PETITION FOR INJUNCTIVE OR OTHER RELIEF IN THE CIRCUIT COURT

OF HARFORD COUNTY, OR IN ANY OTHER COURT HAVING PROPER  
VENUE FOR THE PURPOSE OF REQUIRING COMPLIANCE WITH THE  
PROVISIONS OF THIS CHAPTER.

(2) (A) THE COURT MAY:

[1] ISSUE AN ORDER TO CEASE AND DESIST FROM THE  
VIOLATION;

[2] EXCEPT AS PROVIDED IN SUBPARAGRAPH (B) OF THIS  
PARAGRAPH, VOID AN OFFICIAL ACTION TAKEN BY AN  
OFFICIAL OR EMPLOYEE WITH A CONFLICT OF INTEREST  
PROHIBITED BY THIS CHAPTER WHEN THE ACTION ARISES  
FROM OR CONCERNS THE SUBJECT MATTER OF THE  
CONFLICT AND IF THE LEGAL ACTION IS BROUGHT  
WITHIN 90 DAYS OF THE OCCURRENCE OF THE OFFICIAL  
ACTION, IF THE COURT DEEMS VOIDING THE ACTION TO  
BE IN THE BEST INTEREST OF THE PUBLIC; OR

[3] IMPOSE A FINE OF UP TO \$5,000 FOR ANY VIOLATION OF  
THE PROVISIONS OF THIS CHAPTER, WITH EACH DAY  
UPON WHICH THE VIOLATION OCCURS CONSTITUTING A  
SEPARATE OFFENSE.

(B) A COURT MAY NOT VOID ANY OFFICIAL ACTION APPROPRIATING  
PUBLIC FUNDS, LEVYING TAXES OR PROVIDING FOR THE  
ISSUANCE OF BONDS, NOTES OR OTHER EVIDENCES OF PUBLIC  
OBLIGATIONS.

D. IN ADDITION TO ANY OTHER ENFORCEMENT PROVISIONS IN THIS CHAPTER, A  
PERSON WHO THE BOARD OR A COURT FINDS HAS VIOLATED THIS CHAPTER:

(1) IS SUBJECT TO TERMINATION OR OTHER DISCIPLINARY ACTION; AND

(2) MAY BE SUSPENDED FROM RECEIVING PAYMENT OF SALARY OR  
OTHER COMPENSATION PENDING FULL COMPLIANCE WITH THE TERMS  
OF AN ORDER OF THE BOARD OR A COURT.

E. A COUNTY OFFICIAL OR EMPLOYEE FOUND TO HAVE VIOLATED THIS  
CHAPTER IS SUBJECT TO DISCIPLINARY OR OTHER APPROPRIATE PERSONNEL  
ACTION, INCLUDING REMOVAL FROM OFFICE, DISCIPLINARY ACTION,  
SUSPENSION OF SALARY OR OTHER SANCTION.

F. VIOLATION OF §23-7 OF THIS CHAPTER SHALL BE A MISDEMEANOR SUBJECT  
TO A FINE OF UP TO \$10,000 OR IMPRISONMENT OF UP TO ONE YEAR.

G. A FINDING OF A VIOLATION OF THIS CHAPTER BY THE BOARD IS PUBLIC  
INFORMATION.

**§ 23-10. REPORTS.**

BY JULY 1 OF EACH YEAR, THE DIRECTOR OF HUMAN RESOURCES SHALL SUBMIT  
TO THE COUNTY COUNCIL AND COUNTY EXECUTIVE A REPORT DETAILING THE  
TRAINING PROVIDED TO EACH INDIVIDUAL SUBJECT TO THE PROVISIONS OF THIS  
CHAPTER.

Section 2. And Be It Further Enacted that this Act shall take effect 60 calendar days from the date  
it becomes law.

EFFECTIVE: February 13, 2012

*The Council Administrator does hereby certify that  
fifteen (15) copies of this Bill are immediately available for  
distribution to the public and the press.*

  
\_\_\_\_\_  
Council Administrator



**BILL NO. 11-50**  
**As Amended**

HARFORD COUNTY BILL NO. 11-50 As Amended

Brief Title Ethics Code Repeal

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

**CERTIFIED TRUE AND CORRECT**

Pamela Meister  
Council Administrator

Date December 13, 2011

**ENROLLED**

Billy Babin  
Council President

Date December 13, 2011

**BY THE COUNCIL**

Read the third time.

Passed: LSD 11-28

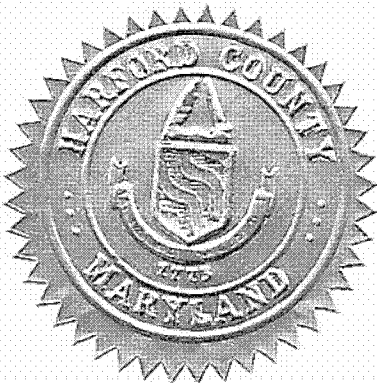
Failed of Passage: \_\_\_\_\_

By Order

Pamela Meister  
Council Administrator

Sealed with the County Seal and presented to the County Executive for approval this 14<sup>th</sup> day of December, 2011 at 3:00 p.m.

Pamela Meister  
Council Administrator



**BY THE EXECUTIVE**

David R. Craig  
COUNTY EXECUTIVE

APPROVED: Date December 15, 2011

**BY THE COUNCIL**

This Bill No. 11-50 As Amended, having been approved by the Executive and returned to the Council, becomes law on December 15 2011.

EFFECTIVE DATE: February 13, 2012

Pamela Meister  
Pamela Meister  
Council Administrator

**BILL NO. 11-50**  
**As Amended**